

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

ORLAND OIL & GAS LLC and)	
NICHOLAS HAROS,)	
)	
Plaintiffs,)	
)	
v.)	
)	
JOHN CIURCINA,)	
)	
Defendant.)	Civil Action No. 1:19-CV-014-C

ORDER

On January 25, 2019, Plaintiffs Orland Oil & Gas LLC and Nicholas Haros filed the above-styled and -numbered civil action against John Ciurcina. Plaintiffs plead that Orland Oil & Gas LLC is a Texas Limited Liability Company and that Nicholas Haros is the president and managing member of Orland Oil & Gas LLC. For purposes of establishing diversity jurisdiction, “the citizenship of a LLC is determined by the citizenship of all of its members.” *Harvey v. Grey Wolf Drilling Co.*, 542 F.3d 1077, 1080 (5th Cir. 2008). Though Plaintiffs’ complaint pleads that Mr. Haros is the managing member of the LLC, the complaint does not establish that Mr. Haros is the sole member of the LLC, making it impossible for the Court to determine whether complete diversity exists in this case.¹

“[T]he party invoking federal jurisdiction bears the burden of establishing its existence.” *Williams v. Parker*, 843 F.3d 617, 621 (5th Cir. 2016). Plaintiffs are therefore **ORDERED TO SHOW CAUSE** why this civil action should not be *sua sponte* dismissed for lack of

¹ Federal courts are duty-bound to examine their own subject-matter jurisdiction and may not proceed where it is apparent that jurisdiction does not exist. *Union Planters Bank Nat’l Ass’n v. Salih*, 369 F.3d 457, 460 (5th Cir. 2004).

subject-matter jurisdiction by providing the Court with information regarding all of the members of Orland Oil & Gas LLC (and the citizenship of those members) on or before 9:00 a.m. on February 11, 2019.

SO ORDERED this 29th day of January, 2019.



SAM R. CUMMINGS
SENIOR UNITED STATES DISTRICT JUDGE